

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on April 1, 2005 at 8:05 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Elsie Arntzen (R)
Rep. Tim Dowell (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Bob Bergren (D)
Rep. Kevin T. Furey (D)
Rep. Joe McKenney, Vice Chairman (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 486, 3/24/2005; SB 311,
3/24/2005; SB 457, 3/24/2005; SB
110, 3/24/2005

Executive Action: SB 380, SB 486, SB 110, SB 457, SB
311, SB 78

HEARING ON SB 486

Opening Statement by Sponsor:

SEN. VICKI COCCHIARELLA (D), SD 47, opened the hearing on **SB 486**,
Revise viatical settlement law.

00:02:10

Proponents' Testimony:

00:03:16 Frank Cote, Life Settlement Institute

00:05:45 Jacqueline Lenmark, American Council of Life
Insurere

EXHIBIT (buh69a01)

00:09:18 Don Allen, Insurance and Financial Advisors

Opponents' Testimony: None

Informational Testimony:

00:09:57 Alisha Pichette, State Auditors Office

00:10:32 Karen Powell, State Auditors Office

Questions from Committee Members and Responses:

00:11:20

Closing by Sponsor:

00:12:45

REP. FUREY entered the room.

HEARING ON SB 311

Opening Statement by Sponsor:

SEN. DUANE GRIMES (R), SD 39, opened the hearing on **SB 311**,
Revise credit scoring law.

00:13:22

Proponents' Testimony:

00:32:37 **SEN. VICKI COCCHIARELLA, SD 47, MISSOULA**

00:38:15 Roger McGlenn, Independent Insurance Agents

00:40:26 Tom Daniel, Independent Insurance Agent
00:42:44 Jolene Hauck, Self
EXHIBIT (buh69a02)
00:46:12 Larry Kibbee, Property Casualty Insurers
00:47:49 Greg Van Horrsen, State Farm Insurance Company
00:50:41 Joseph Doyle, Self
00:51:36 Jacqueline Lenmark, American Insurance Corporation
00:52:03 Jon Metropolous, Farmers Insurance Group
00:52:17 Frank Cote, Farmers Union Insurance

Opponents' Testimony:

00:52:41 Alisha Pichette, State Auditors Office
01:00:10 Claudia Clifford, AARP Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:24

Closing by Sponsor:

01:40:38

REP. MCKENNEY entered the room

HEARING ON SB 457

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on **SB 457**, Clarify requirements for cancellation of insurance for nonpayment of premiums.
01:47:30

Proponents' Testimony:

01:48:50 Roger McGlenn, Independent Insurance Agents
01:51:13 Larry Kibbee, Property and Casualty Insurance
01:52:05 Jason Todhunter, Montana Logging Association
01:52:39 Jacqueline Lenmark, American Insurance Association
01:53:11 Frank Cote, Farmers Union Insurance
01:54:09 Alisha Pichette, State Auditors Office

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:54:43

HEARING ON SB 110

Opening Statement by Sponsor:

SEN. JOHN COBB (R), SD 9, opened the hearing on **SB 110**, Medicaid redesign: HIFA and 1115 demonstration waiver authority.
01:55:14

Proponents' Testimony:

02:04:49 Jeff Buska, Department of Public Health and Human Services

EXHIBIT (buh69a03)

02:08:25 Steve Yeakel, Council of Maternal and Childcare Health

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:10:37

Closing by Sponsor:

02:24:04

EXECUTIVE ACTION ON SB 380

Motion: REP. GALVIN-HALCRO moved that SB 380 BE CONCURRED IN.

Motion: REP. GALVIN-HALCRO moved that SB 380 BE AMENDED.

Discussion:

02:44:04

EXHIBIT (buh69a04)

Vote: Motion carried 17-1 by voice vote with REP. GALLIK voting no. REP. BERGREN voted by proxy.

Motion/Vote: REP. GALVIN-HALCRO moved that SB 38 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. REP. BERGREN voted by proxy. REP. DOWELL to carry.

EXECUTIVE ACTION ON SB 486

Motion: REP. GALVIN-HALCRO moved that SB 486 BE CONCURRED IN.

Discussion:

02:50:14

Vote: Motion carried unanimously by voice vote. REP. BERGREN voted by proxy. REP. MCKENNEY to carry.

EXECUTIVE ACTION ON SB 110

Motion: REP. GALVIN-HALCRO moved that SB 110 BE CONCURRED IN.

Discussion:

02:51:51

Vote: Motion carried 13-5 by voice vote with REP. MCKENNEY, REP. MENDENHALL, REP. MILBURN, REP. STAHL, and REP. WINDY BOY voting no. REP. BERGREN voted by proxy. REP. ROBERTS to carry.

EXECUTIVE ACTION ON SB 457

Motion/Vote: REP. GALVIN-HALCRO moved that SB 457 BE CONCURRED IN. Motion carried unanimously by voice vote. REP. BERGREN voted by proxy. REP. STAHL to carry.

Motion/Vote: REP. VILLA moved that SB 457 BE PLACED ON THE CONSENT CALENDAR. Motion carried unanimously by voice vote. REP. BERGREN voted by proxy.

EXECUTIVE ACTION ON SB 311

Motion: REP. GALVIN-HALCRO moved that SB 311 BE CONCURRED IN.

Motion: REP. GALLIK moved that SB 311 BE AMENDED.

Discussion:

03:04:24

[EXHIBIT](#) (buh69a05)

Motion: REP. GALLIK moved that THE AMENDMENTS BE SEGREGATED TO THE SECOND AND FOURTH PART AND THOSE CONCURRED IN.

Discussion:

03:19:14

Vote: Motion failed 9-9 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA, and REP. WINDY BOY voting aye. REP. BERGREN voted by proxy.

Motion/Vote: REP. ROBERTS moved that SB 311 BE CONCURRED IN. Motion carried 12-6 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. JOPEK, and REP. VILLA voting no. REP. BERGREN voted by proxy. REP. WILSON to carry.

EXECUTIVE ACTION ON SB 78

Motion: REP. VILLA moved that SB 78 BE CONCURRED IN.

Motion: REP. VILLA moved that SB 78 BE AMENDED.

Discussion:

03:32:08

[EXHIBIT](#) (buh69a06)

Vote: Motion carried 17-1 by voice vote with REP. MENDENHALL voting no. REP. BERGREN voted by proxy.

Motion/Vote: REP. VILLA moved that SB 78 BE CONCURRED IN AS AMENDED. Motion failed 9-9 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA, and REP. WINDY BOY voting aye. REP. BERGREN voted by proxy.

ADJOURNMENT

Adjournment: 11:45 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh69aad0.PDF](#))